

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT DIVISION

|                            |   |                                |
|----------------------------|---|--------------------------------|
| TODD PHILLIPS, ET AL.      | § | CIVIL ACTION NO: 5:17-cv-01524 |
|                            | § |                                |
| Plaintiffs                 | § |                                |
|                            | § |                                |
| VS.                        | § | DISTRICT JUDGE JAMES           |
|                            | § |                                |
| JULIAN WHITTINGTON, ET AL. | § |                                |
|                            | § |                                |
| Defendants                 | § | MAGISTRATE JUDGE HORNSBY       |

**STATEMENT OF UNCONTESTED MATERIAL FACTS**

The following material facts are uncontested:

1. The bill of information for the felony arrest at issue in this case was prepared by ADA Holland.<sup>1</sup>
2. When ADA Holland submitted the bill of information to the court, he referred the court to the La. C.E. 404(B) hearing, which the court had just heard, in order to establish probable cause.<sup>2</sup>
3. This demonstration of probable cause was accepted by the court, and no further demonstration was requested.<sup>3</sup>

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<sup>1</sup> **EXHIBIT 2:** Affidavit of Hugo Holland ¶ 2.

<sup>2</sup> *Id.* ¶ 3.

<sup>3</sup> *Id.* ¶ 5.

4. The investigations of the property crimes at issue in this case were conducted by the Bossier Parish Sheriff's Office, operating independently of the Office of the District Attorney of the 26th Judicial District of the State of Louisiana.<sup>4</sup>
5. At no time before or during the investigations of the property crimes at issue in this case did Hugo Holland direct, either directly or indirectly, any Sheriff's Office investigator.<sup>5</sup>
6. Todd Phillips' grounds for believing that suspects other than himself were not "considered very long" are only "hearsay and what transpired with me".<sup>6</sup>

Respectfully submitted,

/s/ Patrick R. Jackson

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ATTORNEY FOR DEFENDANTS,

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His Official Capacity as Special

Prosecutor for the Bossier Parish District

Attorney's Office, and J. SCHUYLER

MARVIN, Individually and in His

Official Capacity as District Attorney for

Bossier Parish

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<sup>4</sup> *Id.* ¶ 6.

<sup>5</sup> *Id.* ¶ 7.

<sup>6</sup> **EXHIBIT 1:** *Excerpt from Deposition of Todd Williams Phillips 104:18-23.*

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document has been served on all counsel of record to this proceeding on the 9th day of April, 2020, by this Court's CM/ECF Filing System.

/s/ Patrick R. Jackson

Patrick R. Jackson